

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,)	
)	
Plaintiff,)	ORDER DENYING MOTION TO
)	MODIFY DETENTION
vs.)	
)	Case No.: 1:11-cr-017
Dustin Allen Wolff,)	
)	
Defendant.)	

Defendant Dustin Wolff filed a Motion to Modify Detention on June 27, 2011. (Docket No. 30). He also requested a hearing on the motion. The government filed a response opposing the motion on June 29, 2011. (Docket No. 32). The court granted defendant's motion for a hearing, and a hearing was held on the matter on July 8, 2011.

Defendant requested that the court release him from custody and to the care of his father, Allen Wolff, who resides just outside of Dodge, North Dakota. Upon reviewing the briefs submitted by the parties and hearing the testimony presented during the hearing, the court finds that based upon Wolff's repeated incidents of putting both himself and others in danger, his proclivity for possessing firearms when he is intoxicated and knows that he is in trouble, and his resistance to treatment for alcohol abuse in the past, that he remains a danger to the community. As such, the court **ORDERS** that Wolff shall remain in the custody of the Attorney General pending trial in this matter. The court further notes that given defendant's history of dangerous behavior, it is not inclined to release Wolff to a remote location where the court would find it difficult to control his access to alcohol and other people, and would not be able to promptly respond to an alert from an alcohol monitoring device.

IT IS SO ORDERED.

Dated this 8th day of July, 2011.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge